

AIR CONDITIONERS AND COOLING EQUIPMENT—Continued  
[Standards for conformance]

Room size units .....	ANSI/AHAM <sup>2</sup> RAC-1-1982.
Other cooling equipment: Including evaporative coolers, heat pumps and other equipment .....	UL <sup>3</sup> 1995, November 30, 1990. <sup>4</sup>

<sup>1</sup>ARI indicates Air Conditioning and Refrigeration Institute.  
<sup>2</sup>AHAM/ANSI indicates American Home Appliance Manufacturers/American National Standards Institute.  
<sup>3</sup>UL indicates Underwriters Laboratories.  
<sup>4</sup>This standard is a general standard covering many different types of heating and cooling equipment.

SCREENS, WINDOW FILMS, AND REFLECTIVE MATERIALS  
[Standards for conformance]

Insect screens .....	Commercially available.
Window films .....	Commercially available.
Shade screens:	
Fiberglass shade screens .....	Commercially available.
Polyester shade screens .....	Commercially available.
Rigid awnings:	
Wood rigid awnings .....	Commercially available.
Metal rigid awnings .....	Commercially available.
Louver systems:	
Wood louver systems .....	Commercially available.
Metal louver systems .....	Commercially available.
Industrial-grade white paint used as a heat-reflective measure on awnings, window louvers, doors, and exterior duct work (exposed).	Commercially available.

[58 FR 12529, Mar. 4, 1993, as amended at 69 FR 18803, Apr. 9, 2004]

**PART 445 [RESERVED]**

**PART 451—RENEWABLE ENERGY PRODUCTION INCENTIVES**

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AUTHORITY: 42 U.S.C. 7101, *et seq.*; 42 U.S.C. 13317.

SOURCE: 60 FR 36964, July 19, 1995, unless otherwise noted.

**§ 451.1 Purpose and scope.**

(a) The provisions of this part cover the policies and procedures applicable to the determinations by the Department of Energy (DOE) to make incentive payments, under the authority of 42 U.S.C. 13317, for electric energy generated and sold by a qualified renewable energy facility owned by a State or political subdivision thereof; a not-

for-profit electric cooperative; a public utility described in section 115 of the Internal Revenue Code of 1986; an Indian tribal government or subdivision thereof; or a Native corporation.

(b) Determinations to make incentive payments under this part are not subject to the provisions of 10 CFR part 600 and such payments shall not be construed to be financial assistance.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46386, Aug. 14, 2006]

**§ 451.2 Definitions.**

As used in this part—

*Biomass* means biologically generated energy sources such as heat derived from combustion of plant matter, or from combustion of gases or liquids derived from plant matter, animal wastes, or sewage, or from combustion of gases derived from landfills, or hydrogen derived from these same sources.

*Closed-loop biomass* means any organic material from a plant which is planted exclusively for purposes of being used at a qualified renewable energy facility to generate electricity.

*Date of first use* means, at the option of the facility owner, the date of the first kilowatt-hour sale, the date of

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completion of facility equipment testing, or the date when all approved permits required for facility construction are received.

*Deciding Official* means the Manager of the Golden Field Office of the Department of Energy (or any DOE official to whom the authority of the Manager of the Golden Field Office may be redelegated by the Secretary of Energy).

*DOE* means the Department of Energy.

*Finance Office* means the DOE Office of the Chief Financial Officer (or any office to which that Office's authority may be redelegated by the Secretary of Energy).

*Fiscal year* means the Federal fiscal year beginning October 1 and ending on September 30 of the following calendar year.

*Indian tribal government* means the governing body of an Indian tribe as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

*Native corporation* has the meaning set forth in the Alaska Native Claims Settlement Act (25 U.S.C. 1602).

*Net electric energy* means the metered kilowatt-hours (kWh) generated and sold, and excludes electric energy used within the renewable energy facility to power equipment such as pumps, motors, controls, lighting, heating, cooling, and other systems needed to operate the facility.

*Not-for-profit electrical cooperative* means a cooperative association that is legally obligated to operate on a not-for-profit basis and is organized under the laws of any State for the purpose of providing electric service to its members.

*Ocean* means the waters of the Atlantic Ocean (including the Gulf of Mexico) and the Pacific Ocean within the jurisdiction of the United States from which energy may be derived through application of tides, waves, currents, thermal differences, or other means.

*Renewable energy facility* means a single module or unit, or an aggregation of such units, that generates electric energy which is independently metered and which results from the utilization of a renewable energy source.

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*Renewable energy source* means solar heat, solar light, wind, ocean, geothermal heat, and biomass, except for—

(1) Heat from the burning of municipal solid waste; or

(2) Heat from a dry steam geothermal reservoir which—

(i) Has no mobile liquid in its natural state;

(ii) Is a fluid composed of at least 95 percent water vapor; and

(iii) Has an enthalpy for the total produced fluid greater than or equal to 2.791 megajoules per kilogram (1200 British thermal units per pound).

*State* means the District of Columbia, Puerto Rico, and any of the States, Commonwealths, territories, and possessions of the United States.

[60 FR 36964, July 19, 1995, as amended at 71 FR 46386, Aug. 14, 2006]

#### §451.3 Who may apply.

Any owner, or operator with the written consent of the owner, but not both, of a qualified renewable energy facility, may apply for incentive payments for net electric energy generated from a renewable energy source and sold.

#### §451.4 What is a qualified renewable energy facility.

In order to qualify for an incentive payment under this part, a renewable energy facility must meet the following qualifications—

(a) *Owner qualifications.* The owner must be—

(1) A State or a political subdivision of a State (or agency, authority, or instrumentality thereof);

(2) A public utility described in section 115 of the Internal Revenue Code of 1986;

(3) A not-for-profit electrical cooperative;

(4) An Indian tribal government or subdivision thereof; or

(5) A Native corporation.

(b) *What constitutes ownership.* The owner must have all rights to the beneficial use of the renewable energy facility, and legal title must be held by, or for the benefit of, the owner.

(c) *Sales affecting interstate commerce.* The net electric energy generated by the renewable energy facility must be